

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE TWELFTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE
:PRESENT:

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO: 12931 OF 2023

Between:

Mohammad Fasiuddin, S/o. Waheed,

...Petitioner

AND

1. The State of Telangana, rep by its Prl. Secretary, Stamps and Registration Department Secretariat Buildings, Hyderabad
2. The Registrar of Chits, Government of Telangana O/o. The Commissioner and Inspector General Registration and Stamps, MJ Market, Hyderabad
3. The Deputy Registrar of Chits/District Registrar, Karimnagar Rep by its Deputy Registrar of Chits/District Registrar, Karimnagar.
4. M/s. Shriram Chits Private Limited, Rep. by its GPA Holder Mr. P. Nagavender Rao, S/o. Sarvatha Rao, aged: 39 years, Occ: Senior Divisional Manager, R/o. Mukurampuram, Karimnagar District.
5. The Municipal Commissioner, O/o The Municipal Corporation, Karimnagar District.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 5th respondent in withholding the salary of the petitioners by issuing the warrant dated 07-11-2019 in EP No. 52 of 2019 in A.R.B No. 564 of 2016 on the file of court of the Prl. Additional Senior Civil Judge At Karimnagar by setting aside the same and consequently direct the respondents not to deduct the salaries of the petitioner in the interest of justice.

IA NO: 1 OF 2023

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the Writ Petition, the High Court may be pleased to grant stay of all proceedings in pursuant to the Salary Attachment warrant dated 07-11-2019 in EP No. 52 of 2019 in A.R.B No. 564 of 2016 on the file of court of the Prl. Additional Senior Civil Judge At Karimnagar, pending disposal of the main writ petition.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court order dated 28.04.2023 and 28.07.2023 made herein and upon hearing the arguments of Sri. DEVARA SAMHITHA, Advocate for the Petitioner, GP FOR STAMPS AND

REGISTRATION, for the Respondent No.1 to 3 and 5 Sri. K. Srikanth Goud, for the Respondent No.4 the Court made the following. /

ORDER:

Gone through the contents of the record. /

On the same subject matter, two judgments were relied upon, the first one was in CRP.No. 2338 of 2018 that was dealt with by the Division Bench consisting of Justice V. Ramasubramanian and Justice J. Uma Devi and the second decision was in CRP.Nos. 5236, 5741 and 5753 of 2016 which were dealt with by the Division Bench, consisting of Justice C.V. Nagarjuna Reddy and Justice T. Rajani. When the same subject matter was dealt with by the Division Bench, the present matter is before the single judge. /

The parties to the proceedings are directed to clarify whether the matter has to be dealt with by a Division Bench or a Single Judge. /

List on 20.09.2023. /

Interim order granted earlier is extended till then. /

SD/- P. GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri. DEVARA SAMHITHA, Advocate [OPUC]. /
2. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana at Hyderabad [OUT]. /
3. One spare copy. /

HIGH COURT

Dr. CSL,J

DATED: 12/09/2023

LIST ON 20.09.2023

ORDER

WP.No.12931 of 2023



EXTENSION OF INTERIM ORDER